



Attorney Docket No. 038602-0684
Application Serial No. 09/551,188

#20
Dmr
8/13/02

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Axel ULLRICH et al.

Title: DNA ENCODING MCK-10, A NOVEL RECEPTOR TYROSINE
KINASE

Appl. No.: 09/551,188

Filing Date: April 17, 2000

Examiner: Eileen B. O'Hara

Art Unit: 1646

RECEIVED
AUG 13 2002
TECH CENTER 1600/2900

INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR §1.56

Commissioner for Patents
Box PATENT APPLICATION
Washington, D.C. 20231

Sir:

Submitted herewith on Form PTO/SB/08 is a listing of a document known to Applicants in order to comply with Applicants' duty of disclosure pursuant to 37 CFR §1.56. A copy of the listed document is being submitted to comply with the provisions of 37 CFR §1.97 and §1.98.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicants do not waive any rights to take any action which would be appropriate to antedate or

03/09/2002 GWORDDF1 00000026 09551188

03 FC:126

180.00 OP

otherwise remove as a competent reference any document which is determined to be a *prima facie* art reference against the claims of the present application.

TIMING OF THE DISCLOSURE

The listed document is being submitted in compliance with 37 CFR §1.97(c), before the mailing date of either a final action under 37 CFR §1.113, a notice of allowance under 37 CFR §1.113, or an action that otherwise closes prosecution in the application.

RELEVANCE OF EACH DOCUMENT

The document is in English. The USPTO declared interference No. 104096 (U.S. application serial no. 08/153,397 ("Sugen") (parent of the present application) v. U.S. application no. 09/447,314 ("Genentech")). Adverse judgement was entered against Sugen in favor of Genentech, resulting in issuance of U.S. Patent No. 6,087,144.

Applicants respectfully request that any listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08 be returned in accordance with MPEP §609.

FEE

A fee in connection with submission of an information disclosure statement under 37 CFR §1.97(c) in the amount of \$180.00 in accordance with 37 CFR §1.17(p) is attached.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 CFR §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Respectfully submitted,

Michelle M. Simon
Reg No. 34,717

Date Aug 8, 2002

By _____

FOLEY & LARDNER
Washington Harbour
3000 K Street, N.W., Suite 500
Washington, D.C. 20007-5143
Telephone: (202) 672-5475
Facsimile: (202) 672-5399

for Beth A. Burrous
Attorney for Applicant
Registration No. 35,087

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449B/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

Date Submitted: August 8, 2002

(use as many sheets as necessary)

Sheet	1	of	1
-------	---	----	---

Complete if Known

Application Number	09/551,188
---------------------------	------------

Filing Date	April 17, 2000
--------------------	----------------

First Named Inventor	Axel Ullrich
----------------------	--------------

Group Art Unit	1646
----------------	------

Examiner Name	Eileen B. O'Hara
---------------	------------------

Attorney Docket Number	038602-0684
------------------------	-------------

RECEIVED

~~AUG 13 2007~~

TECH CENTER 1600/2900

U.S. PATENT DOCUMENTS

[illegible]

FOREIGN PATENT DOCUMENTS

[illegible]

Examiner
Signature

Date
Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ²See attached Kinds of U.S. Patent Documents. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document.

Standard S1.3). ⁵For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁶Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, D.C. 20231. **DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO:** Assistant Commissioner for Patents, Washington, D.C. 20231.